

EMERGENCY COMMISSION MEETING
Minutes
Wednesday, November 26 2008

A meeting of the Emergency Commission was held on Wednesday, November 26, 2008, in the Governor's Conference Room. Present in the room were Governor John Hoeven, Senator Bob Stenehjem, and Secretary of State Al Jaeger. Participating via telephone were Senator Ray Holmberg, Rep. Rick Berg, and Rep. Ken Svedjan. Governor Hoeven called the meeting to order at 11:15 a.m.

Note: According to the provisions of N.D.C.C., Chapter 54-16, all approved requests identified with an asterisk are forwarded to the Legislative Budget Section Committee for its meeting on December 3, 2008.

1. Office of Attorney General (Request # 1686A)

Request approval for increased spending authority of \$10,000 to accept state contingency funds for the arrest and return of fugitives line (\$10,000) to reimburse city and county governments for expenses associated with Governor ordered extraditions of felons located outside the state.

Representative Svedjan moved for approval and to raise the amount of requested spending authority to \$15,000. Representative Berg seconded the motion. Voting aye were Jaeger, Stenehjem, Berg, Holmberg, Svedjan, and Hoeven. No nay votes. Motion carried.

2. North Dakota Racing Commission * (Request # 1687)

Request approval for increased spending authority of \$76,089 to accept funds from the North Dakota Racing Promotion Fund # 339 for unanticipated Attorney General legal fees (\$45,634), as a contingency for future unanticipated legal fees and expenses (\$12,000), and settlement fees awarded plaintiffs by the District Court (\$18,455) related to case identified as Civil No. 08-C-01307/001.

Secretary Jaeger moved for approval. Senator Stenehjem seconded the motion. Voting aye were Stenehjem, Berg, Holmberg, Svedjan, Jaeger, and Hoeven. No nay votes. Motion carried.

3. Public Service Commission * (Request # 1688)

Request approval for increased spending authority of \$100,000 for the agency's Valuation Fund (a special fund) for operating line (\$100,000) to allow recovery of expenditures invoiced to regulated utility for securing expert assistance and for other related expenses associated with analyzing and deciding the public utility's rate increase application.

Representative Berg moved for approval. Secretary Jaeger seconded the motion. Voting aye were Berg, Holmberg, Svedjan, Jaeger, Stenehjem and Hoeven. No nay votes. Motion carried.

4. Department of Commerce * (Request # 1689)

Request approval for increased spending authority of \$19,600,000 to accept federal funds from the Housing and Economic Recovery Act of 2008, Neighborhood Stabilization Program, for operating line (\$1,960,000) and grants line (\$17,640,000) to provide financial assistance for the redevelopment of abandoned and foreclosed homes to benefit low income citizens.

Senator Holmberg moved for approval. Senator Stenehjem seconded the motion. Voting aye were Holmberg, Svedjan, Jaeger, Stenehjem, Berg, and Hoeven. No nay votes. Motion carried.

5. North Dakota Mill and Elevator Association * (Request # 1690)

Request was moved to the bottom of the agenda.

6. North Dakota Insurance Department (Request # 1691)

Request approval for increased spending authority of \$50,000 to accept federal funds from the Centers for Medicare and Medicaid Services for operating line (\$50,000) for services provided through the State Health Insurance Counseling (SHIC) program.

Representative Berg moved for approval. Senator Stenehjem seconded the motion. Voting aye were Jaeger, Stenehjem, Berg, Holmberg, Svedjan, and Hoeven. No nay votes. Motion carried.

7. **North Dakota Department of Health * (Request # 1692)**

Request approval for increased spending authority of \$2,750,000 to accept federal funds from the United States Department of Agriculture, Women Infant and Children (WIC) program, for the agency's WIC line to cover the costs related to the providing the WIC program.

Representative Berg moved for approval. Senator Holmberg seconded the motion. Voting aye were Stenehjem, Berg, Holmberg, Svedjan, Jaeger, and Hoeven. No nay votes. Motion carried.

8. **Office of Management and Budget (Request # 1693)**

Request approval for increased spending authority of \$314.64 to accept state contingency funds for operating line (\$314.64) to reimburse Stutsman County for expenses, as approved by the Secretary of State, related to the November 4, 2008, general election and the state canvassing board certifying an automatic recount of votes cast in Legislative District 12 for the Senate position per the provisions of N.D.C.C. § 16.116-01(10).

Secretary Jaeger moved for approval. Representative Berg seconded the motion. Voting aye were Berg, Holmberg, Svedjan, Jaeger, Stenehjem, and Hoeven. No nay votes. Motion carried.

9. **North Dakota Veterans Home * (Request # 1694)**

Request approval for a line item transfer of \$300,000 from salary line to operating line (\$300,000) for expenses related to contract nursing and higher operating costs.

Senator Holmberg moved for approval. Secretary Jaeger seconded the motion. Voting aye were Holmberg, Svedjan, Jaeger, Stenehjem, Berg, and Hoeven. No nay votes. Motion carried.

10. **North Dakota Veterans Home (Request # 1695)**

Request approval, without additional funding authority, to add 2.8 FTE positions (1 FTE Certified Nursing Assistant and 1.8 FTE Certified Medication Aide) to meet Veteran Administration standard of care guidelines.

Representative Berg moved for approval. Senator Holmberg seconded the motion. Voting aye were Svedjan, Jaeger, Stenehjem, Berg, Holmberg, and Hoeven. No nay votes. Motion carried.

11. **Secretary of State * (Request # 1696)**

Request approval for increased spending authority of \$165,520 to accept other funds generated by the agency's general services operating fund (a special fund) for operating line (\$97,763) and salary line (\$67,757) for overtime related to increase demand for agency services and for expenses associated with the migration of the agency's two databases from the state's mainframe and the agency's AS/400 to a new operating platform.

Representative Berg moved for approval. Representative Svedjan seconded the motion. Voting aye were Jaeger, Stenehjem, Berg, Holmberg, Svedjan, and Hoeven. No nay votes. Motion carried.

12. **North Dakota Mill and Elevator Association * (Request # 1690)**

Request approval for increased spending authority of \$4,000,000 from other funds for operating line (\$4,000,000) for higher than anticipated interest expenses related to market factors requiring a larger than anticipated operating line of credit with the Bank of North Dakota.

Representative Berg moved for approval. Representative Svedjan seconded the motion. Voting aye were Svedjan, Jaeger, Stenehjem, Berg, and Hoeven. No nay votes. Motion carried.

The meeting adjourned at 12:03 p.m.

Respectfully submitted,



Alvin A. Jaeger
Secretary of State
Secretary to Emergency Commission